

HOUSE STANDING COMMITTEE ON EDUCATION

Wednesday, February 15, 2006

10:30 a.m.

307 House Office Building

Representative Brian Palmer, Chair, called the meeting to order.

MEMBERS PRESENT: Representatives Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori.

Representative Meyer moved to approve the minutes of the February 8, 2006 meeting.

Representative Hildenbrand supported the motion.

There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 5675 before the committee.

HB 5675 Baxter Education; employees; reports concerning certain convictions; clarify disclosure under freedom of information act and require measures to ensure accuracy.

Brian Whiston, representing Oakland Schools, testified in support of HB 5675.

Don Wotruba, representing the Michigan Association of School Boards, testified in support of HB 5675.

Sgt. Matt Bolger, representing the Michigan State Police, testified and answered questions from the committee.

Jim Stewart, representing the Michigan Press Association, testified in opposition to HB 5675.

Bob Morris, representing the Michigan Department of Education, testified in support of HB 5675.

Michael Emlaw, representing the Intermediate School Districts of Hillsdale, Jackson, Lenawee, Monroe and Washtenaw, submitted a card in support of HB 5675, but not wish to speak.

Matt Tomasiewicz, representing the Intermediate School Districts of Kalamazoo, Muskegon and Ottawa, submitted a card in support of HB 5675, but did not to speak.

Representative Meyer moved to adopt substitute (H-1) to HB 5675.

Representative Hoogendyk supported the motion.

The motion prevailed by a vote of 18-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Clack, Vagnozzi and Polidori.

Nays: None,

Pass: None.

Representative Polidori offered the following amendments to HB 5675 (H-1):

1. Amend page 18, following line 7, by inserting:

"(8) THE GOVERNOR SHALL APPOINT A TASK FORCE TO EXAMINE THE ISSUE OF FALSE POSITIVE RESULTS THAT OCCUR AS A RESULT OF THE COMPARISON UNDER SUBSECTION (7). THE TASK FORCE SHALL CONSIST OF REPRESENTATIVES FROM THE DEPARTMENT, THE DEPARTMENT OF STATE POLICE, AND THE DEPARTMENT OF INFORMATION TECHNOLOGY AND 2 MEMBERS REPRESENTING TEACHERS OR SCHOOL SUPPORT PERSONNEL. THE TASK FORCE SHALL FACILITATE THE COMPENSATION OF TEACHERS OR OTHER SCHOOL PERSONNEL WHO HAVE SUFFERED HARM AS A RESULT OF FALSE POSITIVE RESULTS UNDER SUBSECTION (7) AND SHALL PROVIDE RECOMMENDATIONS TO THE LEGISLATURE ON HOW TO IMPROVE THE PROCESS UNDER SUBSECTION (7)." and renumbering the remaining subsection.

2. Amend page 34, following line 9, by inserting:

"(16) THE GOVERNOR SHALL APPOINT A TASK FORCE TO EXAMINE THE ISSUE OF FALSE POSITIVE RESULTS THAT OCCUR AS A RESULT OF THE COMPARISON UNDER SUBSECTION (15). THE TASK FORCE SHALL CONSIST OF REPRESENTATIVES FROM THE DEPARTMENT, THE DEPARTMENT OF STATE POLICE, AND THE DEPARTMENT OF INFORMATION TECHNOLOGY AND 2 MEMBERS REPRESENTING TEACHERS OR SCHOOL SUPPORT PERSONNEL. THE TASK FORCE SHALL FACILITATE THE COMPENSATION OF TEACHERS OR OTHER SCHOOL PERSONNEL WHO HAVE SUFFERED HARM AS A RESULT OF FALSE POSITIVE RESULTS UNDER SUBSECTION (15) AND SHALL PROVIDE RECOMMENDATIONS TO THE LEGISLATURE ON HOW TO IMPROVE THE PROCESS UNDER SUBSECTION (15)." and renumbering the remaining subsection.

3. Amend page 44, following line 26, by inserting:

"(16) THE GOVERNOR SHALL APPOINT A TASK FORCE TO EXAMINE THE ISSUE OF FALSE POSITIVE RESULTS THAT OCCUR AS A RESULT OF THE COMPARISON UNDER SUBSECTION (15). THE TASK FORCE SHALL CONSIST OF REPRESENTATIVES FROM THE DEPARTMENT, THE DEPARTMENT OF STATE POLICE, AND THE DEPARTMENT OF INFORMATION TECHNOLOGY AND 2 MEMBERS REPRESENTING TEACHERS OR SCHOOL SUPPORT PERSONNEL. THE TASK FORCE SHALL FACILITATE THE COMPENSATION OF TEACHERS OR OTHER SCHOOL PERSONNEL WHO HAVE SUFFERED HARM AS A RESULT OF FALSE POSITIVE RESULTS UNDER SUBSECTION (15) AND SHALL PROVIDE RECOMMENDATIONS TO THE LEGISLATURE ON HOW TO IMPROVE THE PROCESS UNDER SUBSECTION (15)." and renumbering the remaining subsection.

Representative Polidori moved to adopt the amendments to HB 5675 (H-1).

Representative Virgil Smith supported the motion.

The motion did not prevail by a vote of 7-12-0.

UNFAVORABLE ROLL CALL:

Yeas: Representatives, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori.

Nays: Representatives Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson,

Pass: None.

Representative Gosselin moved to report HB 5675 (H-1) with recommendation.

Representative Meyer supported the motion.

The motion prevailed by a vote of 19-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori.

Nays: None,

Pass: None.

HB 5675 (H-1) reported out with recommendation.

The Chair announced that an item on the agenda, HB 5606, will be taken up at a future date. Cards from people wishing to speak to the bill were read:

Bill Tunnickliff, representing the Middle Cities Education Association,
Don Wotruba, representing the Michigan Association of School Boards,
Amy Shaw, representing the Michigan Manufactures Association.

With no further business to come before the committee, the Chair adjourned the meeting, the time being 12:15 p.m.

Representative Brian Palmer, Chair

Ben Cook
Committee Clerk
February 15, 2006
1 hour 45 minutes

Date Approved and Signed